



Fiscal Year 2015 Statistics

In Fiscal Year 2015, CBP carried out 28,783 entry summary reviews on potential AD/CVD violations and identified over \$29 million in AD/CVD non-compliance. The top AD/CVD violations identified were for tires, solar cells, and pencils.

CBP's Steel Enforcement

CBP, through the Base Metals Center of Excellence and Expertise dedicated to the steel industry, in partnership with the U.S. steel industry and partner government agencies, actively enforces 111 AD/CVD orders on steel products. In Fiscal Year 2015, CBP, in coordination with U.S. Immigration and Customs Enforcement/Homeland Security Investigations:

- Assessed \$45.5 million in penalties for AD/CVD violations on importers of steel products;
- Seized steel products with a value of over \$922,000;
- Conducted 7,273 entry summary reviews of steel imports for AD/CVD issues; and
- Supported five steel industry training seminars for field personnel.

Associate Chief Counsel for Trade and Finance Carries out AD/CVD Collections Litigation in FY 2015

Attorneys under the leadership of the Associate Chief Counsel for Trade and Finance continued carrying out Office of Chief Counsel's strategic approach to AD/CVD collections litigation. At the close of FY 2015, Trade and Finance attorneys were involved in ongoing litigation in over 350 cases, with hundreds of millions of dollars in AD/CVD at stake. During FY 2015, CBP achieved a few major victories in the courts to enforce and collect AD/CVD. For example, the Court of Appeals for the Federal Circuit agreed with CBP that sureties are liable for penalty interest under 19 U.S.C. § 580 on all types of customs bonds, including bonds securing AD/CVD.

Additionally, in FY 2015, Trade and Finance attorneys continued offering wide-ranging legal support to the Continued Dumping and Subsidy Offset Act program within CBP's Office of Administration. In part, this required the provision of extensive litigation support to the Justice Department to defend CBP in 15 lawsuits regarding eligibility for CDSOA distributions. Several of those lawsuits resulted in significant favorable decisions during FY 2015, including: *Giorgio Foods, Inc. v. United States*, 785 F.3d 595 (Fed. Cir. 2015); *Pat Huval Rest. & Oyster Bar, Inc. et al. v. United States*, 785 F.3d 638 (Fed. Cir. 2015); and *Schaeffler Group USA, Inc. v. United States*, 786 F.3d 1354 (Fed. Cir. 2015). Additional cases are still pending before the Court of International Trade.

Garlic Antidumping Enforcement Team

In FYs 2014 and 2015, the CBP Garlic Antidumping Enforcement Team, coordinated a national effort to enforce antidumping duties on imports of fresh garlic from China.

GAET targeted entries of Chinese garlic valued at over \$16.84 million that were high risk for evasion of antidumping duties. GAET required posting of additional single transaction bonds prior to the release of these shipments. Four importers/exporters challenged CBP's authority to require additional bonding and filed several lawsuits at the Court of International Trade.

As a result of the GAET enforcement efforts, CIT upheld CBP's ability to request single transaction bonds. This resulted in shipments valued at over \$5.8 million exported back to the country of origin as importers did not want to file additional bonds; shipments valued at over \$6.9 million exported or destroyed; and shipments valued at over \$4 million were released after an importer posted a \$1 million bond with CIT. The GAET team also protected revenue of over \$137 million in the assessment of the correct antidumping duty rate by changing many of the entries entered at 0 cash deposit rate to \$4.71/kg. CBP's garlic enforcement is continuing.